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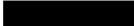
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 **BettyJane Stevens** shared a link.
March 15 at 1:44 PM · 

Forestburgh being sued over Lost Lake development

By Fred Stabbert III
FORESTBURGH – Litigation is being brought against the Town of Forestburgh and two town officials by Lost Lakes Holdings LLC (LLH) and Mishconos Mazah LLC (MM).

The lawsuit comes after altercations erupted at last month’s board meeting between attorneys for the development and the town regarding an adopted three-month moratorium on building permits and claims of misuse of escrow account funds.

According to papers filed in State Supreme Court on February 28 and served this past Friday afternoon to town officials, the developers of Lost Lake Development are suing the Town of Forestburgh over what they claim is the unlawful use and misappropriation of the Lost Lake escrow account.

The filing also names Town Supervisor Daniel Hogue and Town Planning Board Chair Richard Robbins, both professional and individually, as defendants.

Attorney Javid Afzali of Harris Beach, PLLC, is representing the town in the lawsuit and he said yesterday morning that he was planning to meet with town officials yesterday to form a response.

The response, which was not ready at presstime, will appear in Friday’s Democrat.

The plaintiffs in the case are Lost Lake Holdings LLC (LLH) and Mishconos, LLC, (MM), which are owned by Hasidic Jewish investors.

In July 2020, LLH and MM purchased the development, which included the Project Site and all right, title and interest to the Project and its approvals, including the Planned Development District rezoning and the Phase 1 approvals.

Pursuant to the purchase, LLH and MM also became the beneficiaries of the funds held in trust by the town in the Lost Lake Escrow.

According to the suit, the Lost Lake Escrow account was established according to Forestburgh Town Law and was designed to pay for professional consultant fees in connection with the review of the development.

Last month, the town Board adjourned their February Regular Town Board meeting stating they planned on proposing a resolution that would amend the escrow account law in place.

However, the suit further alleges that when the purchase of the project by members of the Hasidic Jewish community became known, Supervisor Hogue and Planning Board Chair Robbins colluded to cause the misappropriation and misuse of the Lost Lake Escrow for multiple unlawful purposes.

The suit claims town officials used that money to hire special counsel – Javid Afzali of the law firm Harris Beach – for legal services regarding the project, although no applications for building permits had yet been filed.

The suit further claims that Mr. Robbins, with Mr. Hogue’s consent, recommended that attorney Charles Voss be retained to provide planning and related consulting services to the Planning Board regarding the project. The town board approved all hirings, the suit claims.

How it all began

According to the suit, the Lost Lake Escrow was established in 2008 when the former owner of the Project Site applied for a Planned Development District (PDD) rezoning of the project site for the seven-phase Lost Lake Development.

The Town Board approved the PDD rezoning in 2011 and granted subdivision and site plan approval for Phase 1 of the Project in 2013.

Since the approvals, there have been no more applications to the Town Board or Planning Board for any project-related approvals.

The site, which LHH and MM believed was shovel-ready, required only building permits for home construction to commence.


However, after the second building permit application was filed in the summer of 2021, the plaintiffs allege the consultants (attorneys) work shifted to delaying, obstructing and eventually causing the pretextual denial of that building permit application and subsequent applications.

The suit claims Supervisor Hogue and Planning Board Chair Robbins colluded to misuse the escrow account for two principal unlawful purposes:


to obstruct, delay, and, if possible, prevent the members of the Hasidic Jewish Community from purchasing homes in Lost Lake by delaying, obstructing and preventing issuance of building permits for construction of homes that Rabbi Halberstam, principal of LLH and MM, intended to offer at a reasonable rate to members of the Hasidic

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obstructing and preventing issuance of building permits for construction of homes that Rabbi Halberstam, principal of LLH and MM, intended to offer at a reasonable rate to members of the Hasidic Jewish Community; and

- to obstruct, interfere with, and deprive LLH and MM of their vested property rights in and to the PDD Zoning and Phase 1 approvals by depriving them the ability to build homes.

The suit seeks to have the town repay funds back to the escrow account that were allegedly unlawfully disbursed and to prevent further expenditures from the account unless those costs are for expenses described in town law.

The suit is also seeking cost and reasonable attorneys' fees associated with the suit and the repeal of the three-month moratorium law passed at the last meeting.

Two letters – one on November 12 and the other on January 21 – from the developers to the town demanding an accounting of the Lost Lake Escrow account and return of funds expended went unanswered.

Supervisor Dan Hogue did not return a call for comment.

Photo

At the public hearing on February 3, many voices made clear their opinions before the Board eventually voted in favor of passing the three-month moratorium.

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Forestburgh being sued over Lost Lake development

FORESTBURGH – Litigation is being brought against the Town of Fo...

7

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Rut Abe

Glad they're fighting for their civil rights. Hope a huge federal lawsuit will follow. The rednecks here think they're above the law

Like Reply Share 1w

4



Gary Klein

Rut Abe that's it goes name calling we survived quite well before you people come and try to take over this has nothing to do with civil rights and if you don't like rednecks what are you doing here

Like Reply Share 1w



Rut Abe

Gary Klein you guys aka jews are here for 100 years. Are you older than that ?

Like Reply Share 1w



Gary Klein

Rut Abe no my Family has been I am fourth generation on the same road and I retired and I won't be able to live in Sullivan County because of the high taxes and you're the one that put in the word jews I would've said the Hasidic community

Like Reply Share 1w



Rut Abe

Gary Klein you sound like a fourth generation of very intelligent people. 1st you accused that they don't pay taxes when in fact they're! Than you come up with other BS . I got news for you the hasidic are here to stay , either you can work with them or not . But you can't discriminate because you don't like them! It's 2022 even in left back Sullivan County

Like Reply Share 1w



Gary Klein

Rut Abe name-calling and threatening people and you want us to work with you the bottom line is I live in the Country because I don't like high density housing why is it we have to assimilate The way you live why can't you assimilate the way we live and build a house on three or 4 acres like we have to no you go to court threaten to sue the town's because you have unlimited money for your lawyers and the towns can't afford to fight you

Like Reply Share 1w



Rut Abe

Gary Klein who's asking here for high destiny housing? This project was approved without any changes for years already, the only change is the new owner that bought this (approved) project is hasidic. Of course the towns can't afford to fight . But no... See more

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towns can't afford to fight . But no... See more

Like Reply Share 1w Edited



Gary Klein

Rut Abe When you're putting 20 duplex is on 20 acres or less that's high density for your information we have zoning as you should be made to follow and like we have to but you can't you have to change the laws to suit you

Like Reply Share 1w



Rut Abe

Gary Klein Again nothing has changed from the original (none hasidic) plan!

Like Reply Share 1w



Vernon Francisco

Rut Abe

Not Jews per say but Hasidic Jews.

Like Reply Share 6d



Rut Abe

Vernon Francisco than you'll say that you're not against hasidics. Only in Sullivan County there's geniuses like that.

Like Reply Share 6d



Dan Plaut

Gary Klein U PPL , not a very inclusive statement. Let's share some love instead of hate

Like Reply Share 6d

Write a public reply...



Gary Klein

Dan Plaut It's not hate it's that they're changing our way of life with the high density housing this is supposed to be the country I don't want it turned into another curious JK before you know it they'll be taking over the town board in the school bo... See more

Like Reply Share 5d



Gary Klein

Rut Abe i'm glad you I think this is funny

Like Reply Share 5d



Rut Abe

Gary Klein



Like Reply Share 5d



Gary Klein

Rut Abe you showing your IQ pretty good

Like Reply Share 5d



Rut Abe

Gary Klein



Like Reply Share 5d

Write a public reply...



BettyJane Stevens [Author](#)

Some of these comments are terrible ! Aren't some of you embarrassed by what you write ??

Like Reply Share 5d



Rut Abe

BettyJane Stevens thanks !

Like Reply Share 5d



Write a public reply...



Len N. Bernardo

This is no surprise here

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- Len N. Bernardo
This is no surprise here. ...
Like Reply Share 6d
- Rut Abe
Len N. Bernardo This is probably just the beginning. These lunatics are thinking they can do whatever they want without consequences. They forgot that we live in The USA the land of the free ...
Like Reply Share 6d
- Len N. Bernardo
Rut Abe ...
Like Reply Share 6d
- Gary Klein
Rut Abe no you think you should be able to do whatever you want without towns trying to stop it ...
Like Reply Share 5d
- Rut Abe
Gary Klein The Law will be followed. Like it or not!
Like Reply Share 5d
- Gary Klein
Rut Abe No you'll change the laws to suit you ...
Like Reply Share 5d
- Rut Abe
Gary Klein ...
- 
Like Reply Share 5d
- Write a public reply...
- Blake Richardson
How does it happen that 30 years ago not 1 station wagon could make it up Wurtsboro Mountain without overheating. To owning 400k homes and driving Escalades ?
Asking for a friend ...
Like Reply Share 5d
- Shaw Stack
We need to tell the rest of the country what's going on in New York State ...
Like Reply Share 1w
- Rut Abe
Shaw Stack agreed . need the federal government to end the open discrimination!
Like Reply Share 1w Edited
- Shaw Stack
Rut Abe Discrimination goes both ways ...
Like Reply Share 1w Edited
- Vernon Francisco
Rut Abe
This county has many Jews and has been run by Jews and even the non-Hasidic Jews have problems with Hasidic Jews because they know them.
What are you Hasidic or non-Hasidic? That might account for your ideology. ...
Like Reply Share 1w
- Rut Abe
Vernon Francisco Yes I am hasidic. Your statement "all hasidic" are causing problems is deeply disturbing. I pay high income tax, I pay property taxes. People like you accuse us that we don't pay taxes. This is the reason why I am motivated to keep on fighting for our civil rights. ...
Like Reply Share 6d
- Vernon Francisco
Rut Abe
no where in my statement did I say all Hasidic, and I did not say Hasidic's were causing problems. Reread what I said.
"This county has many Jews and has been run by Jews and even the non-Hasidic Jews have problems with Hasidic Jews because they know them."
You jumped to an unfounded conclusion. I apologize if you found what I said offensive but it is true. ...
Like Reply Share 6d
- Rut Abe
Vernon Francisco having problems with hasidics. Defines to me all hasidics. Putting all hasidics in the same category singling out as a group!
Like Reply Share 6d
- Vernon Francisco
Rut Abe Perhaps you are right in that ...

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Vernon Francisco
Rut Abe Perhaps you are right in that assumption.
There are good and bad and different types in any group. Over a long period of time, whether intentional or not, they have been a disruptive force when they come to an area because they are not able to blend in and they usually come as a group. It is a double mindset.
Hasidic Jews not wanting to blend in and the locals believing that Hasidic Jews feel they are better than everyone else.

Like Reply Share 6d



Rut Abe
Vernon Francisco I understand its a feeling. But its not factually true , most hasidics respects none hasidics, its just a traditional life style, for example its not because of disrespect a hasidic men will not shake the hand of a woman or the opposite. Its a religious ritual to not physically contact the opposite sex, only for emergencies for example a Dr. , Nurse , and 1st responders etc. Plus many other rituals that may seem rude but when you understand the tradition you'll understand that its not because they look down on others . You can dm me if you want.

Like Reply Share 6d Edited



Vernon Francisco
Rut Abe
I understand what you are saying. My wife was from Lancaster PA, the home of the Amish and they have many traditions which also seem strange to others.
You really have to get to know people to truly understand them.

Like Reply Share 6d



Louis Harrison
All I can say is OyVey

Like Reply Share 6d

Write a public reply...



Gary Klein
These people do it all the time they can't come up And assimilate the way we live We have to change our lives and live the way they do in Kira's Joel They seem to have unlimited money for lawyers but hate paying taxes they take the small towns to court... [See more](#)

Like Reply Share 1w



Rut Abe
Gary Klein They're the biggest tax payer in Forestburgh!

Like Reply Share 1w



Gary Klein
The taxes they pay does not cover but it cost for them to be here they build duplexes because the taxes are cheaper Because they taxed As a condo now we had to start building sidewalks which we would never need just look at Woodburn it looks like a ghost town now and in the summer you can't get through there they bring their own stores up and that's where they do 90% of there shopping when you go into hardware store they always have somebody's name to give So they don't have to pay sales tax

Like Reply Share 1w



Rut Abe
Gary Klein Sorry but You're wrong fallsburg without the orthodox would have about 45 percent higher taxes

Like Reply Share 1w



Gary Klein
Rut Abe I don't believe that there are other towns that don't have the Hasidic community in them and their taxes are cheaper than Fallsburg or the town of liberty

Like Reply Share 1w



Rut Abe
Gary Klein You believe or not . Your motivation is clear you hate Orthodox. And will fight for their rights!

Like Reply Share 1w



Gary Klein
You don't even know me how do you know who I hate your disgusting

Like Reply Share 1w



Rut Abe
Gary Klein Your posts says it all!

Like Reply Share 6d



Peggy Wells Earle
Why does everyone think that because they are Orthodox they are tax exempt?? These communities pay taxes! If you know how to read tax rolls check for yourselves. Why can't you just leave them alone?? I don't see thousands of other "more assimilated" folks moving to Sullivan County!



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tax rolls check for yourselves. Why can't you just leave them alone?? I don't see thousands of other "more assimilated" folks moving to Sullivan County!

Like Reply Share 1w Edited 3

Gary Klein
Peggy Wells Earle is the high density housing that they do like I said we have to have 3 to 10 acres to build a house But they can put 10 duplexes in that piece of property

Like Reply Share 1w

Vernon Francisco
Peggy Wells Earle They do not want to assimilate.

Like Reply Share 1w

Rut Abe
Vernon Francisco Assimilate is your problem. In town of Liberty the hasidic community lives there rural but some people still complain. Haters will always find a reason to hate!

Like Reply Share 6d Edited 2

Vernon Francisco
Rut Abe This is true.

Like Reply Share 6d

Rut Abe
Vernon Francisco Bingo



Like Reply Share 6d

Vernon Francisco
Everyone makes their own reputation and the Hasidic community has made their own over the years.

Like Reply Share 1w 2

Gary Klein
Vernon Francisco Yeah screwing the local people

Like Reply Share 6d

Rut Abe
Gary Klein than you'll ask why I say that you hate hasidics... think before your post, after you post its not so hard to figure it out...

Like Reply Share 6d 1

Gary Klein
Rut Abe My last reply and I know you'll have the last word it's nothing about hate it's changing the way I want to live I live in the country not in Westchester County I don't like High density housing I truly think we had time limits for all politicians this stuff would not be happening

Like Reply Share 6d

Shaw Stack
I don't hate the people I hate the game

Like Reply Share 1w 1

Rut Abe
Shaw Stack there's no game . The opposite. Its very simple where ever a orthodox jewish community is involved there's a game to make it hard .

Like Reply Share 1w

Gary Klein
Shaw Stack yes I agree I should've said that in my statement

Like Reply Share 1w

Rut Abe
Gary Klein



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Like Reply Share 1w

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Like Reply Share 6d

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Like Reply Share 6d

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Like Reply Share 6d

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Like Reply Share 1w

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Like Reply Share 1w

Gary Klein
Shaw Stack yes I agree I should've said that in my statement

Like Reply Share 1w

Rut Abe
Gary Klein



Like Reply Share 6d

Vernon Francisco
We don't need another Kiryas Joel or more property off the tax rolls.

Like Reply Share 1w

Rut Abe
Vernon Francisco after KJ became their own town . Town of Monroe taxes went up 10 percent! Facts matter!

Like Reply Share 1w

Vernon Francisco
Rut Abe
Taxes that everyone else had to pay.

Like Reply Share 1w

Rut Abe
Vernon Francisco Who else? Again after KJ became their own town Monroe had to pay more tax to compensate the loss of KJ taxes (in other words KJ wasn't a tax recipient, they were a net contributor!) Genius.

Like Reply Share 6d

Cathie Ceriale Heil LLC.

Like Reply Share 6d

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